

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LISA CONNER,

Plaintiff,

v.

Case No. 2:20-cv-840-SPC-NPM

MARRIOTT HOTEL SERVICES, INC.  
and PREMIER AMUSEMENTS, INC.,

Defendants.

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**ORDER**

Before the Court are Defendant Premier Amusement, Inc.'s Time Sensitive Motion to Limit the Time to Inspect the Hologate System (Doc. 34) and a Notice of Partial Resolution Concerning Premier's Motion (Doc. 38). Plaintiff Lisa Conner and Defendant Premier were able to agree to the following:

- 1) Premier agreed to provide additional discovery and produce its corporate representative for deposition at 9:00 a.m. on April 22, 2021.
- 2) Following the deposition, Premier agreed to make the Hologate system available for inspection at a mutually convenient date and time prior to May 3, 2021.

3) Conner agreed that upon the foregoing conditions being met, Premier may remove the Hologate system on May 3, 2021, without objection from Conner.

(Doc. 38, p. 1). However, the parties were unable to agree to language that would allow Premier to remove the Hologate system on May 10, 2021, without objection by Conner if the above conditions are not met despite “every good faith effort.” (Doc. 38, p. 2). The Court will not endorse this language.

Should the parties fail to fulfill their agreement as set forth in Paragraphs 1-3 above by May 3, 2021, Premier may file another motion to limit the time to inspect the Hologate system and may, if appropriate, seek fees and costs for filing the motion.<sup>1</sup> Accordingly, Premier’s Time Sensitive Motion to Limit the Time to Inspect the Hologate System (Doc. 34) is **DENIED as moot and without prejudice** due to the parties’ agreement to resolve the matter without Court involvement.

**DONE and ORDERED** in Fort Myers, Florida on April 7, 2021.

  
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NICHOLAS P. MIZELL  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The Court notes that Conner need not and should not wait until the completion of the Rule 30(b)(6) deposition of Premier to schedule the inspection.